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Security Council

Fifty-eighth year

Provisional

4770th meeting

Tuesday, 10 June 2003, 10.30 a.m.
New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Angola	Mr. Lucas
	Bulgaria	Mr. Raytchev
	Cameroon	Mr. Tidjani
	Chile	Mr. Acuña
	China	Mr. Wang Yingfan
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Guinea	Mr. Traoré
	Mexico	Mr. Pujalte
	Pakistan	Mr. Akram
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

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03-38923 (E)

The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

The President (*spoke in Russian*): I should like to inform the Council that I have received letters from the representatives of Greece and Serbia and Montenegro, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šahović (Serbia and Montenegro) took a seat at the Council table; Mr. Vassilakis (Greece) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

I give the floor to Mr. Annabi.

Mr. Annabi: I am pleased to have this opportunity to brief the Security Council on developments in Kosovo since the previous briefing on 23 April. I assume that the choice of the date for this briefing is not entirely fortuitous, since today is, as I am sure you are aware, Mr. President, the fourth anniversary of the adoption of resolution 1244 (1999). Today, Kosovo is certainly very different from the way it was four years ago. Working with our partners in Kosovo — KFOR, the European Union, the Organization for Security and Cooperation in Europe, United Nations agencies, intergovernmental organizations, non-governmental organizations and, of course, local leaders and bodies — the United Nations has put in place a process designed to stabilize and normalize the situation in Kosovo.

The progress is evident: the reconstruction of basic infrastructure; the restarting of public services such as schools, health care and pensions; the provision of basic documents; an increasingly professional local police and judiciary; three successful elections; and the establishment of municipal and central self-government bodies. At the same time, much remains to be done in developing provisional democratic self-governing institutions and ensuring conditions for a peaceful and normal life for all the inhabitants of Kosovo.

The fact that we still have some way to go was highlighted in a particularly horrific way recently, when three Kosovo Serb residents were brutally murdered in Obilic municipality on 4 June. An 80-year-old man, his 78-year-old wife and their 53-year-old son were beaten to death with a blunt instrument, and their house was then set on fire.

As we informed the Council on 6 June, the United Nations Interim Administration Mission in Kosovo (UNMIK) has taken a number of concrete steps to find and bring to justice the perpetrators of that horrible crime. A nine-member UNMIK special police squad was established to investigate the crime, working with special advisers from both the Kosovo Serb and the Kosovo Albanian communities. A reward for information leading to the arrest and sentencing of those responsible for the murders has been offered, and a 24-hour protected telephone line has been set up to receive information. UNMIK police and KFOR have both put in place additional patrols and other appropriate security measures. UNMIK and representatives of Kosovo's Provisional Institutions — the Assembly, the Government and the President — and Kosovo Albanian and Kosovo Serb political leaders have all condemned the murders and have called for the perpetrators to be brought to justice.

UNMIK and the Kosovo Provisional Institutions have continued their joint efforts to transfer to the Provisional Institutions the non-reserved responsibilities listed in chapter 5 of the Constitutional Framework. The Transfer Council met for the second time on 28 May and agreed on the transfer of 19 non-reserved competencies to the Provisional Institutions, with a further 17 to be transferred as soon as the Provisional Institutions have the capacity to assume them. Eight competencies were returned to the working groups for further consideration. Kosovo Serb representatives did not participate in that most recent meeting of the Transfer Council.

The Provisional Institutions have continued their work, with a particular emphasis on legislative development. Since the Council was last briefed, the four laws — which had been returned to the Assembly for revision, since they were not fully compliant with resolution 1244 (1999) and the Constitutional Framework — have been promulgated, with two of the laws revised by the Assembly and two revised under the authority of the Special Representative. The Kosovo Assembly also adopted six new laws, with one of them being deemed to be outside its area of competence. The Assembly, in a special procedure, also reviewed and agreed to the provisional criminal procedure codes, which, as reserved competencies, will be issued as UNMIK regulations. The Assembly, however, did instruct an "appropriate body" to draft a law on elections, although that is, of course, an area which is outside its area of competence.

On 15 May, the Assembly endorsed a controversial resolution on the "liberation war of the people of Kosovo for freedom and independence". While this resolution may have brought the Kosovo Albanian political parties closer to a common view of their respective roles in the past, it was clearly not conducive to cross-ethnic dialogue and reconciliation. The Special Representative, Mr. Michael Steiner, issued a declaration stating that the text of the resolution was divisive and against the spirit of resolution 1244 (1999). In addition, the hosts of three international meetings decided, after consulting with the Special Representative, to withdraw the invitations to attend that they had sent to the Provisional Institutions.

The Kosovo Serb caucus — Coalition Return — has participated in all Kosovo Assembly sessions since April. Coalition Return members did, however, walk out of a plenary session on 15 May during the discussion of the resolution on "the liberation war of the people of Kosovo for freedom and independence". They, however, returned for the rest of the session after the resolution was passed. Coalition Return also left the 5 June Assembly session in protest of the triple murder in Obilic municipality and have scheduled a meeting for 11 June to discuss its continued participation in the joint structures.

Development in the municipalities has been slow in the past months. One third of the municipalities are still not run in accordance with democratic values due to political boycotts, mainly by Kosovo Albanian parties, leading to gridlock. The provision of fair-share financing to minority communities and the use of official languages in the documents and signs in most municipalities remain poor. In northern Mitrovica, UNMIK appointed an eight-member Advisory Board consisting of six Kosovo Serbs, one Kosovo Albanian and one Bosniac. However, during the Board's first meeting, held on 30 May, the Kosovo Serb representatives objected to the Board's composition. The next meeting of the Board is scheduled for 16 June.

UNMIK reports that the crime statistics for the first four months of 2003 show that there has been a reduction in cases of murder, burglary and robbery in comparison with the same period for 2002. Incidents of what appears to be inter-ethnic violence are, however, a cause for concern. The Kosovo Police Service (KPS) has continued its development; there are now close to 5,500 local police officers, in comparison to just over 4,000 international police officers. An additional police station is now under KPS management in Stimlje, bringing the total number of stations under KPS management to four. UNMIK Police continued to build relations with their Serbian counterparts. Similarly, police cooperation with the former Yugoslav Republic of Macedonia is expanding through regular contacts and meetings.

Freedom of movement for the Kosovo Serb community remains difficult. The recent triple murder in Obilic will be a setback in this regard by contributing to an increasingly negative perception of security conditions allowing their free movement. Increased freedom of movement for Kosovo Serbs has also been hindered by the decision of the Serbian Government authorities not to sign an agreement on the use of Kosovo licence plates in Serbia proper and by

their public calls for Kosovo Serbs not to register their cars with UNMIK. On 13 May, however, UNMIK and the Former Yugoslav Republic of Macedonia reached agreement on the mutual recognition of vehicle insurance, so that vehicles with Kosovo licence plates can travel freely in the Former Yugoslav Republic of Macedonia under a single, comprehensive insurance policy. During the Ohrid Conference on Border Security and Management, UNMIK and the Former Yugoslav Republic of Macedonia also completed an exchange of letters addressing the practical modalities associated with the opening of two temporary local crossing points between Kosovo and the Former Yugoslav Republic of Macedonia for residents of the area.

As previously reported, a comprehensive and coordinated framework to support minority returns is in place, with local authorities in nearly half of the municipalities working with representatives of the displaced community in municipal working groups. During the first five months of 2003, a total of 437 Kosovo Serbs — 330 Roma/Ashkali/Egyptians, 133 Bosniacs, 31 Gorani and 61 Kosovo Albanians — have returned to areas where they are a minority. The murders in Obilic on 4 June are a serious setback for our efforts to foster multi-ethnicity in Kosovo and create conditions for the return of Kosovo Serbs and others to areas where they are a minority. Returns efforts also face a substantial shortfall in funding, with only 55 per cent of returns projects funded and a gap of 72 per cent in funding for the United Nations Development Programme-UNMIK Rapid Response Returns Facility, which provides assistance to individual returns.

On the economic side, on 9 May the Special Representative promulgated a regulation on the Transformation of the Right of Use to Socially-Owned Immovable Property. This regulation — commonly referred to as the Land Use Regulation — converts land-use rights held by socially-owned enterprises into 99-year leaseholds, which can be freely transferred and used as guarantee for security credits without affecting underlying ownership title. The Kosovo Trust Agency Board announced on 15 May tenders for the first six enterprises earmarked for the first round of privatization; 12 more are expected to issue shortly. The Agency's operating procedures, adopted last month, provide the framework for privatization through tender procedures. Any Government, person or entity who assert that their rights have been adversely affected by the privatization process may submit an appeal to the Special Chamber of the Supreme Court of Kosovo, which has the power for final adjudication of claims, including payment of compensation, from the proceeds of the privatization to claimants whose rights the Special Chamber finds have been violated by the privatization process. UNMIK has informed us that the Special Chamber will be operational on 16 June, when its rules of procedure are promulgated. Claims are already receivable by the Registrar of the Chamber.

Unfortunately, the dialogue between Belgrade and the Kosovo Provisional Institutions has not started. Limited, working-level contacts have, however, taken place between representatives of the Provisional Institutions and their Serbian counterparts in the fields of transport and returns. Working-level contacts between UNMIK and Belgrade have also continued in a number of fields, although dialogue and constructive engagement at the political level have remained difficult. The meeting of the High Ranking Working Group, which was scheduled to take place on 13 May at the request of Belgrade, did not take place because of preconditions set by the Belgrade delegation before discussion of the topics on the official agenda could begin. As a result, the protocol on the recognition of Kosovo licence plates, which I mentioned earlier, was not signed. Belgrade also continues to support parallel structures offering services such as the issuance of civil registration documents and the payment of pensions in parallel to UNMIK.

As a result of the suspected involvement of members of the Kosovo Protection Corps (KPC) in terrorism and organized crime, particularly since the 12 April bombing of a railway bridge in Zvecan, a travel ban was imposed on KPC members in order to avoid the risk that members associated with extremist organizations might be sent on training missions abroad. The travel ban has since been lifted on a case-by-case basis. The KPC was asked to disclose the names of other KPC members who might be associated with extremist groups. A special UNMIK-KFOR board has been set up to coordinate action against suspected extremist infiltration into the KPC.

The KPC did distance itself from the overtures made by political leaders debating the "war values" resolution of the Kosovo Assembly. A positive achievement was the that eight Kosovo Serbs, three Turks, two Croats and one Ashkali have joined, or are

in an advanced stage of recruitment into, the KPC. The Kosovo Serbs are joining despite calls from Kosovo Serb leaders for them not to do so. Over 30 per cent of the positions set aside for minorities have been filled, although minority community members are not yet present in the higher ranks of the KPC.

Four years into UNMIK's mandate, we can say that there has been significant progress, but we are still facing challenges such as freedom of movement, meaningful minority participation, returns, the institutional development of local bodies and dialogue between Belgrade and Pristina. Since the emergency phase, the focus has been on political and institutional development. In 2000 and 2001, UNMIK established the legal framework for Kosovo's path towards substantial autonomy and self-government: the Law on Local Self-Government and the Constitutional Framework, as well as subsidiary legislation. Following the establishment of the Provisional Institutions, the benchmarks set out by the Special Representative and the policy of "standards before status" have been, and continue to be, the guiding principles for the current phase.

Political pressure on UNMIK has significantly increased, with attempts to challenge its role under resolution 1244 (1999) and the Constitutional Framework. One the one hand, the Provisional Institutions, particularly the Kosovo Assembly, have overstepped their competencies on a number of occasions. On the other hand, Belgrade continues to seek co-governance with UNMIK and, in lending support to parallel structures, supports the boycott of UNMIK policy and programmes. Unilateral calls from Kosovo Albanians, Kosovo Serbs and Belgrade for mutually exclusive solutions for Kosovo's future have continued, and they have not contributed to reconciliation and inter-ethnic dialogue. That has frozen forward movement on a number of key issues.

At the same time, organized criminal groups and extremist elements are increasing their intrusions into political life. Outbreaks of violence serve the interests of extremists on all sides. Such activity is undoubtedly fuelled by political goals, but also by the current grim economic conditions: the unemployment rate in Kosovo is 57 per cent, with worse rates for minorities and women. Extremists remain on the margins, and voices of moderation exist in all communities. However, those voices remain muted.

UNMIK has continued to do its best to ensure that all developments in Kosovo remain within the framework of resolution 1244 (1999) and the Constitutional Framework. UNMIK has continued to focus on the implementation of the mandate, in line with the "standards before status" policy framework. The Council's continued and active support for UNMIK has been, and will continue to be, crucial for the full implementation of the mandate entrusted to it by the Council.

Mr. Duclos (France) (*spoke in French*): First, I would like to thank Mr. Hédi Annabi for his briefing. Last week, the Security Council firmly condemned the reprehensible murder that was just mentioned by Mr. Annabi. I would like to return to that today because that crime is part of a current that runs against the common efforts that we have been making for exactly four years, since we adopted resolution 1244 (1999) on 10 June 1999, with a view to a modern, democratic and multi-ethnic Kosovo. We cannot permit any indulgence towards those attempting to sabotage the efforts by the international community to promote, in a safe environment, a multi-ethnic and tolerant society in Kosovo. Everything must be done to put an end to the ethnic violence in Kosovo, of which the Serbian community is the principal victim. The presumed perpetrators must be quickly apprehended and brought to justice. We support the measures taken by the Special Representative of the Secretary-General in that context, and we will closely follow that inquiry.

The Provisional Institutions of Self-Government have a particular responsibility to re-establish a climate conducive to the realization of the objectives of the international community for the benefit of the entire Kosovo population. I wish to state here very clearly that the Assembly in particular must renounce those initiatives that are contrary to resolution 1244 (1999) or the Constitutional Framework. Those initiatives only divide the Kosovo communities. No progress can be achieved in Kosovo on the basis of unilateral action that is contrary to resolution 1244 (1999) or that flouts the authority of UNMIK and KFOR. We expect the Institutions of Self-Government to work in good faith with the Special Representative of the Secretary-General and UNMIK in order to implement the norms sanctioned by the international community. I am thinking in particular of the guarantee of minority rights and of the establishment of a direct dialogue between Pristina and Belgrade on practical issues of

common interest, for which the cooperation of the authorities of Serbia and Montenegro is equally indispensable. Based on that condition, the transfer of non-reserved competencies will have positive and lasting effects and it will be in that context that the question of status can begin to be addressed.

We align ourselves fully with the statement that will be made shortly by Greece on behalf of the European Union. The 21 June 2003 Thessaloniki Summit will be crucial to strengthening the European perspective of the region and to offering Kosovo the opportunity to be successfully reintegrated into its regional environment. It is our hope that the Provisional Institutions of Self-Government will take that opportunity.

Mr. Cunningham (United States of America): I thank Mr. Annabi for his excellent and comprehensive update. I am glad that he reminded us that this is the fourth anniversary of resolution 1244 (1999). His overview shows clearly that a lot has been accomplished in those four years, but clearly also that a lot more remains to be done and that there are problems ahead.

Regarding one of those problems, it pains me to begin my intervention on Kosovo with, again, a condemnation of violence, as we had to do in April, when we condemned the attack by the so-called Albanian National Army on a railway bridge. Now we have the violent murders that others have already referred to in Obilic. The killings appear to have been motivated by the early success of the Serb return programme there, and thus are to be particularly condemned, because this goes to the heart of what the international community and the Kosovars are trying to accomplish. We support the measures taken by the Special Representative to bring the perpetrators to justice and to encourage close cooperation among all involved to ensure security in Kosovo.

I also want to note that President Bush signed an executive order on 28 May, revoking the national emergency as declared in 1992 and 1998 executive orders with respect to the Socialist Federal Republic of Yugoslavia, and, with that new order, taking additional steps with respect to persons who obstruct implementation of the Dayton Accords, the Ohrid Framework Agreement or Security Council resolution 1244 (1999). This puts in place additional national measures on our part to combat extremism in the region.

We cannot, however, allow violence by a small minority to undermine what has been achieved and what is still to be achieved. Progress has been made on a number of fronts — on the transfer of non-reserved competencies to the Provisional Institutions of Self-Government, or strengthening the presence of the United Nations Interim Administration Mission in Kosovo (UNMIK) in Mitrovica and on needed economic reforms. We are pleased to hear that an expert from the United Nations Development Programme (UNDP) has arrived to begin work on UNMIK's plan for implementing the benchmarks and, as we have promised, my Government will provide funding for an additional expert to assist in that effort.

We continue to believe that the implementation plan is a critical step in reinforcing the benchmarks process and that "standards before status" must be more than just a slogan. More progress must be made on practical issues, if we are to overcome suspicion and build the trust and reconciliation that will be required for resolution 1244 (1999) to be fully implemented.

On the economic front, we believe that the privatization process must move forward without further delay. The promulgation of the land use regulation was the last step needed to allow first tenders to be offered under UNMIK's privatization plan for some 350 socially-owned enterprises. Privatization is the best hope for generating economic activity in Kosovo. Regardless of future decisions on its final status, Kosovo must not be left without economic means. It is important that property rights be both clearly established and enforced uniformly for each owner or claimant. We note the creation of the Special Chamber for adjudicating owners' and creditors' claims and trust that it will provide a fair and transparent venue for dispute resolution with Serbian companies or others. As long as it does not delay the ongoing privatization process, work should begin immediately to set up a claims register that accepts submissions in Serbia in order to protect the rights of claimants there and provide full information to potential buyers.

In order for us to be able to target and address such issues as soon as possible, the United States strongly urges UNMIK, the Provisional Institutions of Self-Government and the Government of Serbia and

Montenegro to foster and persist in creating a constructive dialogue. We know that this is difficult, but it is the only way to resolve the issues that remain before us and the only way to create a stable future. My Government is looking for ways to promote that dialogue in a variety of ways and in a variety of forums. We will continue our efforts in the months ahead to help build trust and encourage the relationships needed to make Kosovo work.

Mr. Tidjani (Cameroon) (*spoke in French*): I would like to convey to Mr. Hédi Annabi how much we appreciated his briefing, which was particularly rich in information regarding developments in Kosovo. His briefing makes it possible for the members of the United Nations family present in the Chamber to have an accurate idea of the progress made over four years and of the situation prevailing in Kosovo in the institutional, security and economic areas. I would like to focus my statement on those three areas, which, it should be recalled, are the three priority pillars for Kosovo in 2003.

In that context, and despite the lack of progress in dealing with certain substantive issues, it is a fact that the Kosovo Provisional Institutions are functioning. We believe that the persistence of problems just underscored by Mr. Annabi results from internal disputes fuelled by partisan rivalry that encourages intolerance, hatred and rejection of one's fellow citizens. Under those conditions, constructing a multi-ethnic, multicultural Kosovo demands that the actions of the Provisional Institutions and of the municipalities involve the entire population of Kosovo in all its sociological components.

Their efforts need to be backed by the international community, and Belgrade has an important role to play. But what is the use of such support if the Provisional Institutions — which are calling for acceleration of the transfer of competencies described in chapter 5 of the Constitutional Framework — do not show genuine political will and an unfailing commitment to meet the many challenges facing all Kosovans, of whom they are the representatives: to ensure freedom of movement, organize real participation in the Provisional Institutions and the municipal bodies by the entire active population of the province, and facilitate the reintegration of minorities and ensure their safety, security and protection, as well as their access to education. Those are some of the challenges on the road to a multi-ethnic and multicultural Kosovo.

The situation of minorities is indeed of concern, particularly with regard to security. Information reaching us confirms the precariousness of their situation. On 4 June the whole world learned with distress of the murder in Obilic of Mr. and Mrs. Slobodan Stolic and their son, members of the Serb minority. We strongly condemn that heinous crime; everything must be done to find the perpetrators and to bring them to justice. That is why my delegation supports the recent measures taken by the Special Representative of the Secretary-General, Mr. Steiner. This odious act, which undermines the international community's efforts to achieve peace and reconciliation, reminds us that the road towards peace and the restoration of confidence in Kosovo continues to be fraught with obstacles of all sorts. We must remain vigilant and determined in our efforts and demonstrate firm and steadfast resolve in our struggle against insecurity. We must likewise be watchful and resolute in supporting the Provisional Institutions and in monitoring their activities, as well as in the fight against poverty and unemployment, which lead to hatred, violence and intolerance.

The current environment, which is characterized by insecurity and the absence of a strong legal framework, can hardly attract private investment. The elements of a free-market economy that have already been established in Kosovo therefore deserve to be supported. Further incentive measures should be taken to that end, with strict respect for existing legal provisions, in order to accelerate the privatization process and to relaunch economic activity and create jobs.

The Secretary-General has told us — and his colleagues have reiterated to us — that we must take a comprehensive approach in order to attain the objectives sought in Kosovo. That approach should also respect the cultural specificities of the province and align Kosovo towards progressive integration into a Europe of shared values. That is how we believe it may be possible to arrive at a multi-ethnic and multicultural Kosovo in which there is peace, tolerance, security, brotherhood, justice and economic and social development for all. The main responsibility for the advent of that Kosovo, to which we all aspire, is, above all, the responsibility of all the people of Kosovo themselves, including every ethnic group.

I cannot conclude my statement without conveying our heartfelt encouragement to the Secretary-General and his team and to the men and women of the United Nations Interim Administration Mission in Kosovo, who are working courageously and doggedly every day to implement the recommendations of the international community in order to bring about the birth of a new and modern Kosovo in which peace, stability and harmony prevail: a Kosovo that is a good place to live.

Mr. Raytchev (Bulgaria): Allow me, first of all, to thank you, Mr. President, for convening this meeting of the Council on Kosovo. I would also like to thank Assistant Secretary-General Hédi Annabi for his comprehensive briefing.

Bulgaria, an associated country of the European Union, fully supports the statement that will be made later in this debate by the representative of Greece on behalf of the European Union. I shall therefore limit myself to a few brief comments in my national capacity.

We welcome the progress achieved in the peace process in Kosovo and extend our thanks to the Special Representative of the Secretary-General and Head of the United Nations Interim Administration in Kosovo (UNMIK), Mr. Michael Steiner, for his efforts aimed at normalizing life in the region.

Bulgaria fully shares the view of the Contact Group on Kosovo expressed in Berlin on 19 May 2003 that considerable practical work still remains to be done in order to fulfil the benchmarks — especially those in the area of democratic governance — before the issue of Kosovo's status can be addressed. In that context, we believe that the final word on the status of Kosovo should be given to the United Nations, in compliance with resolution 1244 (1999).

As a country of the South-Eastern European region, Bulgaria expresses its legitimate concern about the ongoing unilateral attempts and acts from different sides directed at implementing solutions not supported by the international community. In that connection, we think that destructive action aimed at obtaining unilateral political benefits should be categorically condemned.

We emphasize once again our position that the political structures of all communities in Kosovo should demonstrate a higher political culture by bringing to an end all attempts to ignore the recommendations of the Special Representative; such attempts undermine and delay the process of normalization. As a factor of stability in the region, Bulgaria is interested in seeing the process of normalization continue in a speedy, organized and peaceful manner. That would have a strong, positive impact on the overall development of South-Eastern Europe and on its prosperity.

We are aware of the fact that the process of transferring competencies from UNMIK to the Provisional Institutions of Self-Government in accordance with paragraph 11 of resolution 1244 (1999) will not be an easy one. We hope that the recently established Transfer Council will proceed cautiously in its work by simultaneously taking into account the need for the swift achievement of the benchmarks and the legitimate interests of all communities and inhabitants of Kosovo. An important element in that process is the implementation of a realistic road map for the transfer of powers that more clearly marks the way towards implementing the "standards before status" policy on the basis of the benchmarks.

In our view, local authorities should make real efforts, monitored by the international community, to build a functioning administration at all levels in Kosovo that reflects the multi-ethnic character of the region and serves all of Kosovo's inhabitants in a professional manner.

Bulgaria considers the continuing acts of inter-ethnic violence and the activities of organized crime in Kosovo as a strong destructive factor. We therefore call on local political leaders to exert their authority and influence in order to establish relations based on inter-ethnic tolerance. For that reason, we strongly condemn the murder of a Serb family in Obilic earlier this month and hope that those responsible will be brought to justice.

We support the efforts of the Special Representative of the Secretary-General to combat organized crime and the trafficking of human beings, as well as his efforts to revitalize the economy by attracting investment and to solve the daily practical problems of the population in Kosovo.

The presence of UNMIK and KFOR plays a key role in Kosovo's security as well as in the wider region. Bulgaria will continue to actively participate in these

operations of the international community aimed at maintaining peace and security.

Finally, we believe that in the forthcoming period all local political actors should focus their energy on solving concrete problems and normalizing life in Kosovo, rather than on making declarations calling for independence or division, which provoke concern in the region and in the international community. That would be appropriate behaviour and would lead to a timely resolution of the status issue in compliance with resolution 1244 (1999).

Mr. King (United Kingdom): We are grateful for today's briefing.

The United Kingdom fully associates itself with the statement that will be made later by the representative of Greece on behalf of the European Union and its acceding and associated countries.

If I may, I just want to take this opportunity to take up three points in particular. First, in the context of the agreed "standards before status" policy, I would just like to underline that the United Kingdom fully supports the efforts to make the benchmarks operational. We are grateful for the comments and practical suggestions that have been made today regarding taking that important work forward, especially those made by the representatives of the Secretariat and the United States. As others have already said, we need to maintain our efforts in that regard.

Secondly, Mr. Annabi raised the question of tackling parallel structures. I would be grateful for anything more that he might want to add on where we stand, in particular on UNMIK's progress in that regard in Mitrovica.

Thirdly, as our Fifth Committee colleagues recently discussed, UNMIK will see a reduction in staff numbers in the period ahead. We would welcome anything more that Mr. Annabi could say about how, in practice, UNMIK will proceed in shifting its activities from an executive role to a monitoring advisory role.

Mr. Wehbe (Syrian Arab Republic) (*spoke in Arabic*): We should like to thank you, Mr. President, for convening this very important meeting. My delegation also thanks Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for his comprehensive briefing on the most recent developments in the situation in Kosovo.

My delegation strongly condemns the heinous crime committed a few days ago, on 4 June, in Kosovo — in which the perpetrators murdered a family consisting of an 80-year-old man, his wife and his son and burned their home, having threatened the elderly man several times before murdering him — as an event that threatens security in Kosovo in general. My delegation supports the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to arrest the perpetrators of that crime and to bring them to justice.

We also support the gradual transfer of authority to the Provisional Institutions of Self-Government in Kosovo. We should like to stress, first of all, the need to accord high priority to the situation and to prevent such crimes from occurring later on, because that would negatively affect the return of refugees and internally displaced persons to their homes and their active participation in rebuilding the province of Kosovo. More than ever before, Kosovo sorely needs participation by all ethnic groups in its economic, social and political life. In that connection, we must promote dialogue among the various ethnic groups and factions in Kosovo in order to end the violence and to rebuild a safe and secure society in which all ethnic groups live together in harmony.

Secondly, my delegation would like to emphasize the importance of dialogue between Belgrade and Pristina so that the Provisional Institutions will assist UNMIK in beginning a dialogue with neighbouring countries on practical issues. We should also like to stress the importance of ensuring freedom of movement throughout Kosovo for all ethnic groups in a way that guarantees their security and safety and brings stability to all areas of life in Kosovo.

Finally, my delegation would like to thank the Secretary-General and especially Mr. Steiner and UNMIK for their efforts to achieve security, reconciliation and stability in this very important part of the world. Mr. Steiner and his Mission deserve the full support of the Security Council in order to ensure the Mission's success.

Mr. Lucas (Angola): On behalf of the Angolan delegation, I should like to thank you, Mr. President, for convening this open meeting on the situation in Kosovo. We express our thanks to Mr. Hedi Annabi for his briefing, which provided an update on the situation there.

We commend the work accomplished thus far by the United Nations Interim Administration Mission in Kosovo (UNMIK) and by the international community at large in building a democratic State infrastructure from the ground up in Kosovo — a task of the greatest complexity, especially in such a deeply traumatized and divided society. Those accomplishments, and the commitment of the standing forces to the objectives set for Kosovo by the international community, are signals of hope for a better future in the region.

The most encouraging development in the political process of Kosovo is the current transfer of responsibilities from UNMIK to Kosovo's Provisional Institutions of Self-Government. Notwithstanding the imperfect functioning of those Institutions — and the assertion by the Special Representative that Kosovo still has some way to go in establishing representative and functioning institutions accountable to the Kosovo population — meaningful progress has been achieved. We reaffirm our full support for the pursuit of that process, as outlined in the Constitutional Framework.

It is widely recognized that the existence of a political landscape with some degree of coherence is a crucial element for the establishment of solid and representative institutions, that the interparty struggle should not undermine the stability of the institutions, and that the public administration should not be built along partisan lines. Kosovo's current political situation presents realities that run counter to those basic assertions, and we hope that they are part of the learning process of democratic stabilization. That lends more consistency to the "standards before status" policy as the framework for achieving the goals set for the transitional period and as an essential element in the shaping of Kosovo's future.

At the same time, the other crucial elements of this institution-building process are strengthening the rule of law by enhancing the judicial system's efficiency, impartiality and overall functioning, and enhancing law enforcement institutions in order to curb organized crime and ethnic violence and to bring all criminals to justice. We encourage UNMIK and the Special Representative to pursue a consistent policy against destabilizing forces and criminal elements and for establishing the rule of law as the social foundation of Kosovo. In that regard, we are of the view that the international community should lend its full support to the Illicit Small Arms Control Project, to be implemented by the United Nations Development Programme in Kosovo and in Serbia and Montenegro, aimed at controlling the spread and accumulation of illicit small arms and light weapons, which are one of the main sources of crime and violence in Kosovo.

To build a multi-ethnic and democratic society, freedom of movement must be secured for all the communities in Kosovo. We are very concerned by the restrictions on movement still being imposed on minorities; by the denial of their right to use their own language and alphabet throughout the territory; and by the continued violence, harassment and discrimination faced by minorities, intended to discourage their return to Kosovo as well as their participation in public life, according to the assessment made by the Secretary-General's Special Representative.

We are aware that much remains to be done and that the leaders of Kosovo bear particular responsibility for promoting the integration of minorities, which, in the end, constitutes the core question of the Kosovo issue. We see encouraging signals in this direction and meaningful accomplishments in this very important endeavour. Great difficulties still lie ahead on the road towards the fulfilment of hopes for a multi-ethnic society in Kosovo, but it is our conviction that with perseverance and an imaginative approach it will be possible to make important advances towards the attainment of that goal.

There are reports on progress made by the Provisional Institutions and some municipalities in providing support for the return of minority communities. There are encouraging developments that should be supported and encouraged. We commend UNMIK and the Office of the United Nations High Commissioner for Refugees on their work for the return of refugees and displaced persons.

A fundamental element for the normalization of the situation and for ensuring the rights of minorities is dialogue between the provisional authorities of Kosovo and the authorities of Serbia and Montenegro. We encourage such dialogue, and it is our hope that direct talks on practical issues can soon begin, as a means to overcome differences and misunderstandings and to contribute to helping the political process to move in the right direction. We commend the efforts by the Special Representative to advance such dialogue.

Before concluding, we would like to express our condemnation for the recent heinous and brutal assassination of the Stolic family — a crime directed

against efforts to create a multi-ethnic society in Kosovo, as described by the Assistant Secretary-General.

Finally, we pay special tribute to Mr. Michael Steiner, to UNMIK and to all those who have been deploying immense efforts in the building of a democratic and multi-ethnic nation in Kosovo.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation would like to thank Mr. Annabi for his briefing on the latest developments in Kosovo.

Four years ago the Security Council adopted resolution 1244 (1999), laying the basis for a comprehensive settlement of the Kosovo question. Accordingly, the Provisional Institutions of Kosovo should scrupulously fulfil their obligations. Like other countries, we call on the Provisional Institutions to continue to take effective action to crack down on crime, guarantee the rights and interests of ethnic minorities and promote economic development, as well as to fully cooperate with the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Government of Serbia and Montenegro, with a view to the early achievement of social stability, economic development and ethnic harmony.

China, like other countries, condemns all atrocities and other acts of violence, which undermine the social stability of Kosovo. The Chinese delegation appreciates the tireless efforts of UNMIK aimed at the restoration of stability, the establishment of the rule of law, economic development and the promotion of ethnic harmony. We support the "standards before status" policy of the Special Representative of the Secretary-General, Mr. Steiner, and the series of measures in the benchmark process. We hope that UNMIK will continue to effectively carry out its mandate, satisfactorily deal with the decentralization question and take further measures to ensure that the Provisional Institutions fulfil their responsibilities.

Mr. Arias (Spain) (*spoke in Spanish*): I am grateful to Mr. Annabi for his briefing. As Greece, speaking on behalf of the European Union, will be making a statement which Spain fully supports, I will limit myself to a few brief observations.

Events in recent weeks show that there is a long way to go on the road towards a multi-ethnic Kosovo based on the principles of justice, tolerance and respect for human rights. We are concerned in particular by the fact that there continue to be serious acts of violence, threats and cases of intimidation and discrimination against members of minority groups.

The return of displaced persons and refugees is of fundamental importance, and we must all redouble our efforts to make that possible.

Furthermore, the Provisional Institutions of Self-Government have yet to prove that they are capable of functioning normally and of being genuinely representative and responsible. They must devote themselves exclusively to the management and administration of matters under their competency — matters that affect all the people of Kosovo.

Spain views with great concern the attitude of the Kosovo Albanian leaders, who are publicly promoting, on an ongoing basis, positions that run counter to resolution 1244 (1999). All of the communities of Kosovo must participate actively in the provisional and municipal institutions. Lack of participation in those institutions will prevent progress on concrete issues of public administration and will do nothing to improve Kosovo's international image. We condemn any attempt to create mono-ethnic institutions, and we appeal for the dismantling of the parallel administrative structures that are still in operation.

Lastly, we emphasize the need to implement the initiative of the Special Representative of the Secretary-General to maintain a dialogue on practical issues between the Belgrade authorities and the Kosovo Provisional Institutions, in the framework of resolution 1244 (1999).

Mr. Acuña (Chile) (*spoke in Spanish*): We would like to thank you, Mr. President, for having convened this open meeting of the Security Council — the first on this subject since 23 April. Chile once again expresses its support for what we believe could prove to be one of the most important peace-building enterprises in the history of the United Nations: the United Nations Interim Administration Mission in Kosovo (UNMIK), a mission in which our country feels honoured to participate. We commend the work carried out by Mr. Michael Steiner, the Special Representative of the Secretary-General in Kosovo, and all the staff of UNMIK over the past four years.

We would like to thank Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping

Operations, for his enlightening description of the situation in Kosovo and in Serbia and Montenegro.

We would like at the outset to express our great consternation at the reprehensible murder of a Serbian family in Obilic on 4 June. We reject, in addition to that crime, all acts of violence, harassment and discrimination on ethnic grounds — actions that run counter to the achievement of a multi-ethnic, modern and democratic Kosovo.

With regard to the recent decisions taken by UNMIK, we reaffirm that, in terms of the economy and of investment, resolution 1244 (1999) constitutes the cornerstone of the process. Resolution 1244 (1999) is the guiding principle and must determine decisions on Kosovo. The decisions adopted in accordance with the mandate set down by that resolution must be heeded and respected by the parties.

Mr. Pujalte (Mexico) (*spoke in Spanish*): I am grateful to Mr. Hédi Annabi for the extremely complete and precise information he has provided us with today on the situation in Kosovo and the work of the United Nations Interim Administration Mission in Kosovo (UNMIK).

Like most members of the Council, Mexico cannot fail to express its sorrow and distress at the news of the murder of the Stolic family that occurred in the town of Obilic, Kosovo, on 4 June. As was rightly stated by the Special Representative of the Secretary-General, Mr. Michael Steiner, that act was a direct attack on the efforts to build a multi-ethnic Kosovo. My delegation is profoundly concerned that this murder could delay the process of community reconciliation and coexistence and have a negative impact on the sustainable return of displaced persons to that and other towns of Kosovo.

This type of crime must be energetically repudiated, not only by the UNMIK authorities, but also and above all by Kosovo's elected representatives. In this regard, we take note of the statements made by the main elected representatives of Kosovo, who immediately condemned the crime and called for the perpetrators to be brought to justice. We join those voices of condemnation and trust that the crime will be investigated and that those guilty will be punished. We hope that UNMIK and the Kosovo Force will do their utmost to provide greater security and protection to the Serb families and to other minorities in Obilic, who are, quite naturally, extremely fearful at the moment.

My delegation also expresses its concern at this weekend's attack in Pristina, in which several persons were wounded by an explosive device. The incidents of violence that are occurring with increasing frequency in various areas of Kosovo — be they acts of political violence, ethnicity-based attacks or simply cases of organized crime — undoubtedly threaten the stability of Kosovo.

Furthermore, we appeal to the elected representatives of the Provisional Institutions of Self-Government, in particular the representatives of the Albanian majority, to avoid in the future promoting any initiative that runs counter to the spirit of resolution 1244 (1999) and the Constitutional Framework, as well as to the objective of making Kosovo a multi-ethnic, pluralistic and tolerant society. The most recent example of such initiatives is the resolution adopted by the Kosovo Assembly on 15 May regarding the 1998-1999 conflict.

At the same time, my delegation considers that the elected representatives of the ethnic minorities in the Assembly, in particular the Serb representatives, would achieve better results and greater benefits for their electorate if they were to adopt a more participative attitude, instead of withdrawing from the legislature when they encounter a difficult situation.

We would also request the Secretariat to provide us — perhaps at a special meeting convened for that purpose — with further information on and, above all, a more detailed analysis of the privatization process in Kosovo and other related aspects, such as the legislation on the transformation of the right of use to socially-owned immovable property. It is vital that this process of privatization be undertaken transparently, since it will have a broad, long-term impact.

In conclusion, four years after the adoption of resolution 1244 (1999), Mexico reiterates its support for the Special Representative of the Secretary-General and all the personnel of UNMIK in the work that lies ahead.

Mr. Akram (Pakistan): I should like to thank Assistant Secretary-General Hédi Annabi for his briefing and his timely reminder that today is the fourth anniversary of the adoption of resolution 1244 (1999). However, the situation inside Kosovo today still gives us cause for concern.

As others have done, I should like to condemn the brutal murders of the Stolic family in Obilic on 4 June. We hope that no effort will be spared to bring the perpetrators to justice. We condemn all ethnically-motivated acts and crimes in Kosovo. The culture of impunity for such crimes must now come to an end. Whether these crimes were committed six days ago or six years ago, those who committed them should not be allowed to escape justice.

Since I do not wish to cover the same ground as others have before me, I would like to focus only on two issues: first, the immediate priorities inside Kosovo and, secondly, Pakistan's position on the future of that territory.

Inside Kosovo, as recent events have amply illustrated, security and the rule of law remain the two most vital issues which need to be addressed urgently. Without security, there can be no freedom of movement, no protection of minorities, no sustainable return of refugees and no economic recovery. The rule of law is central to progress towards justice, reconciliation and self-governance. These are the two essential pillars on which the success of the provisional institutions and the future political stability of Kosovo will be founded. We hope that the United Nations Interim Administration Mission in Kosovo will give these two issues the priority they deserve.

At the same time, we support the Secretary-General's call on local leaders to work together to consolidate these institutions by focusing on substance and practical results instead of holding institutional developments hostage to political or ethnic differences. We echo his appeal to local leaders to work together for a multi-ethnic Kosovo. We urge the full implementation of Security Council resolution 1244 (1999) and the establishment of the standards that should facilitate a solution for the political status of Kosovo.

I would like to affirm that Pakistan regards the "standards before status" formula as unique, applying to Kosovo only. We hope in this regard that progress on the status issue can also begin at an early stage. In this process, we attach importance to the following.

First, no decision on Kosovo's future should be taken without consulting and responding to the wishes of the people of Kosovo. There can be no exception or special exemptions to the application of the principle of self-determination. And, yes, we very much have Jammu and Kashmir in mind when we affirm this principle.

Secondly, it is unacceptable to establish any linkage between a resolution of the future political status of Kosovo and the goal endorsed by the international community: to preserve the territorial integrity of other States in the region.

Thirdly, the resolution of the status issue should be facilitated by a meaningful political dialogue between the leaders of Kosovo and the Government of Serbia. In that regard, we welcome the initiative by the Special Representative of the Secretary-General to establish a dialogue between Belgrade and Pristina on practical matters of mutual concern. We support efforts to move that dialogue forward at the upcoming European Union Summit in Thessaloniki. We hope that the parties will soon develop sufficient confidence to constructively address as well the difficult political questions relating to the status of Kosovo in the near future.

Mr. Pleuger (Germany): I should like to thank Assistant Secretary-General Hédi Annabi for his comprehensive briefing.

My delegation welcomes the progress that has been achieved so far in Kosovo. However, we are also very concerned about the growing confrontational attitude in Kosovo towards the international community, and in particular against the United Nations Interim Administration Mission in Kosovo (UNMIK). That attitude is manifested, for example, by violations of the reserved powers of the Special Representative of the Secretary-General, mostly by Kosovo Albanian politicians, as well as by the continued existence of illegal parallel structures within the Kosovo Serb communities in the northern parts of Kosovo.

We demand full respect for resolution 1244 (1999) by all sides, and we reject any attempts to question UNMIK's authority to administer Kosovo. We particularly condemn any attempts to force UNMIK into any kind of so-called co-governance, as well as any interference with the reserved powers of the Special Representative.

The question of Kosovo's final status will be addressed at the appropriate time and through the appropriate process. Only the Security Council has the power to assess the implementation of resolution 1244

(1999), and it has the final word in settling the status issue. No unilateral move or arrangement intended to predetermine Kosovo's status — either for the whole or for parts of Kosovo — can be accepted.

Germany expects the Provisional Institutions of Self-Government in Kosovo to meet the benchmarks set by the Special Representative, by advancing legislation and developing policies for all Kosovans in order to promote the economy and the development of the social system. We therefore urge the Kosovo leadership to guarantee minority rights, particularly the right of freedom of movement. In Kosovo, an environment must now be created both through legislative and administrative acts and through public awareness campaigns — an environment conducive to the sustainable return of minority refugees and internally displaced persons.

Like other delegations, we were shocked by the news of the brutal murder of a Kosovo Serb family on 4 June. The German Government strongly condemns those acts of violence. As I have stated in previous meetings of the Council, no act of violence or atrocity committed against the Kosovo Albanian population in the past can justify violence today. Any form of violent revenge or ethnic hatred is absolutely unacceptable. We welcome the immediate, strong condemnation of that act of barbarism by the Kosovo President and the Kosovo Assembly, and the fact that 6 June, last Friday, was designated a day of mourning in Kosovo. We believe that the Special Representative of the Secretary-General has taken the appropriate steps, and we hope that the perpetrators will soon be brought to justice.

Germany supports the Special Representative in his efforts to transfer in a sustainable process non-reserved competencies from UNMIK to the Kosovo Institutions by the end of this year. That process of handing over responsibilities requires a further increase in capacity and determination on the part of the Provisional Institutions of Self-Government. Only then will they be able to fulfil their new role in a responsible and accountable manner.

We support the efforts of the Council of Europe to present, as early as feasible, a strategy on decentralization in order to create the basis for multi-ethnic coexistence, with the aim of improving integration, participation and collective rights for all minorities, notably the Kosovo Serbs.

Germany supports the Special Representative in initiating a trilateral direct dialogue at the expert level with Belgrade and Pristina as early as feasible. That dialogue should address technical, non-status-related issues with the aim of building confidence, normalizing relations and consolidating regional stability.

My delegation fully subscribes to the statement that Greece will make shortly on behalf of the European Union. We fully stand behind the European Union's intention to confirm, at its forthcoming summit with South-Eastern European countries in Thessaloniki on 21 June, the European perspective for the Balkan region. Kosovo is part of that process.

Mr. Traoré (Guinea) (*spoke in French*): I would like to thank you, Mr. President, for convening the present meeting and to express our appreciation to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for the valuable information he has just given us.

The periodic consideration of the situation in Kosovo reflects the concern and steadfast determination of our Council in following through on the actions taken in the framework of implementing resolution 1244 (1999).

At preceding meetings, my delegation welcomed the progress achieved on the ground and expressed its concern at the obstacles to be overcome. It remains a fact that institutional, security and economic issues, as well as those of returns and property, are still a source of concern for the international community in general and the Council in particular. We welcome the progress achieved in the implementation of resolution 1244 (1999) with a view to finding a suitable solution for the various issues.

However, my delegation notes with regret that the security situation remains a concern. In that context, it regrets the death of members of the Stolic family in Obilic. That situation can only fuel tensions, which undermine the efforts being made, particularly efforts to assist refugees and displaced persons, who require a certain level of security and confidence to return to their homes. We are hopeful that the measures taken by Mr. Steiner will quickly lead to the arrest and bringing to justice of the perpetrators of those heinous crimes.

Economic issues such as investment are also a source of great concern. My delegation believes that the success of the entire programme in Kosovo hinges

upon taking into account the interests of all Kosovans and on regional equilibrium. We note with satisfaction the holding of last month's Ohrid conference, where members of the Governments of Balkan region countries assembled to strengthen regional cooperation.

The leaders of the Provisional Institutions and local leaders, the United Nations Interim Administration Mission in Kosovo (UNMIK), the Kosovo Force (KFOR) and the Belgrade authorities must further strengthen their cooperation in order to overcome the challenges for the future of a multi-ethnic Kosovo in a viable socio-economic, political and cultural environment.

Furthermore, my delegation notes with satisfaction the return last month of 800 bodies exhumed in Serbia, thought to be those of Kosovars of Albanian origin who had disappeared. It appreciates the work done by the UNMIK Office on Missing Persons and Forensics, as well as the activities of the Contact Group on Missing Persons of the United Nations Civilian Police and the Serb Government. That work must continue for the definitive settlement of this question.

Finally, my delegation is convinced that the establishment of lasting peace in Kosovo depends on the continued commitment of the leadership, of civil society and of the entire population to put their differences and futile disputes aside and to focus on promoting shared interests that can help everyone flourish. The contribution of the international community will always be indispensable to those efforts.

The President (*spoke in Russian*): I will now make a statement in my capacity as representative of the Russian Federation.

As all other Council members have stated, we are grateful to Assistant Secretary-General Hédi Annabi, for his thorough briefing on developments in Kosovo and in Serbia and Montenegro. As noted, today is the fourth anniversary of the adoption in this Chamber of resolution 1244 (1999), which set the principles and parameters for a settlement in Kosovo. There is no doubt that, since then, huge efforts have gone into reaching a settlement, and considerable progress has been made. Mr. Annabi and Council members spoke about that today.

However, they also emphasized that the problem is far from resolved. Problems outnumber solutions. The main conclusion today is that, four years after the deployment of special missions to the area, local citizens continue to lack equal conditions of security and freedom of movement. There is ongoing ethnically motivated violence, oppression and discrimination against minorities, particularly the Serb minority. The most flagrant example, though by no means the only one, was the brutal murder on 4 June of a Serbian family — an 80-year-old couple and their son — in Obilic. The Security Council has vigorously condemned that crime and has supported the effort of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) to arrest the culprits and bring them to justice.

Moreover, it is clear that we need to do more than ensure that all such crimes are punished. We must double and treble the efforts of the international presences to fundamentally alter the entire atmosphere in the region, where there are still extremist forces creating a breeding ground for continued violence. International legal defence organizations — particularly Amnesty International in its 2003 report — have noted serious violations of minority rights in the region.

The idea of building a multi-ethnic society in Kosovo is bogged down and the level of trust between the Kosovan communities is in fact back to square one. The leaders of the Provisional Institutions of Self-Government frequently shirk their obligations under resolution 1244 (1999) and the Constitutional Framework. Moreover, they are attempting to promote decisions that incite ethnic hatred. Among these is the Regional Assembly resolution on the "war values" of the Kosovo Liberation Army (KLA) and the draft legislation on the census, which, if adopted, could be used for the arbitrary redrawing of the ethnic map of Kosovo. Such actions are being undertaken in spite of the clearly articulated negative position taken by the Special Representative of the Secretary-General and as a challenge to the United Nations and the Security Council.

Without radical improvement of the situation in that regard, we cannot expect the full participation of minority representatives in the work of the Provisional Institutions of Self-Government and in disbanding parallel structures. Our common challenge is to promote normal conditions for the constructive

participation of all Kosovan communities in the work of regional and municipal bodies.

We are concerned by the maintenance of the Kosovo Protection Corps (KPC) as a paramilitary successor of the KLA. Ignoring decisions of the Security Council, the KPC leadership is blatantly trying to turn the Corps into an army for an independent Kosovo. I am not even referring to the commission of terrorist acts by Corps members, such as the sabotage of a bridge in Svecan, which was also referred to today.

Unfortunately, the reaction of the UNMIK leadership was confined to placing a one-month travel ban on Corps workers abroad, which has already ended. We are convinced that, in its current guise, the KPC is a potential source of destabilization in the region, capable of inciting a new wave of violence on multi-ethnic soil. We call on UNMIK to take a more active and consistent position in countering the growth of radical movements in the region and the assertion of their legitimacy.

Due to the lack of progress in those areas, there is also a serious impediment to establishing a dialogue between Belgrade and Pristina. We support the concept of "standards before status". The process of transferring some competencies to the Provisional Institutions must be constructed strictly in accordance with resolution 1244 (1999) and must move forward at a pace that is, above all, determined by the effectiveness of the work of those bodies in areas in which they have received all necessary competencies. The international presences must strengthen their oversight of this process, and must not allow abuses or attempts to use the Provisional Institutions for political purposes and turn Kosovo into a quasi-State structure. The process of the transfer of competencies can in no way be a substitute for a fundamental decision in principle on the status of the region, which must be taken at a later stage and exclusively on the basis of resolution 1244 (1999).

We deeply regret the serious interruptions in dialogue between UNMIK and the Belgrade authorities. We believe it is necessary to take urgent steps to restore constructive cooperation between them, which will enable us to avert collisions, such as the one that came about on the head of UNMIK's regulation on land-use rights. We have a serious concern about that regulation. It could have consequences that are too far-reaching. This is too serious a matter for us to take a decision that will last 99 years.

I share the view expressed by the representative of Mexico: we would expect that the assessments given by Council members today will be borne in mind by the UNMIK leadership in Kosovo in their continuing efforts for the full and comprehensive implementation of resolution 1244 (1999).

I now resume my functions as President of the Council.

The next speaker on my list is the representative of Serbia and Montenegro. I invite him to take a seat at the Council table and to make his statement.

Mr. Šahović (Serbia and Montenegro): Since this is the first time that I am taking the floor in the Council this month, I would like to congratulate you, Sir, on your assumption of the presidency for the month of June. I also wish to thank you for convening this meeting today. I thank Mr. Annabi for his briefing.

Exactly four years ago, the Security Council passed resolution 1244 (1999) to chart the way to durable peace in Kosovo and Metohija. At the time, a future without the fear of persecution was envisaged through the establishment of a multi-ethnic, democratic and lawful society, in which the civil, political and human rights of all would be ensured. While confirming the sovereignty and territorial integrity of the Federal Republic of Yugoslavia — whose name has been changed to Serbia and Montenegro — the resolution aimed at preventing new conflicts, creating a secure environment for the return of refugees and internally displaced persons, demilitarizing the Kosovo Liberation Army (KLA) and establishing substantial autonomy and self-government. What has been achieved?

There is peace in Kosovo and Metohija, if peace can be defined solely as the absence of war. However, security exists selectively, that is to say, for the majority but not for minorities. Again, freedom of movement is the privilege of the majority alone. The fate of more than 1,000 missing Serbs has not yet been resolved. There is little stability to speak of. Almost a quarter of a million internally displaced persons from minority communities — primarily Serbs who fled the province at the time of the arrival of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR — cannot return home.

Although a senior official from the Provisional Institutions of Kosovo and Metohija recently attempted to explain that failure by citing high unemployment rates, facts point in a different direction. A gruesome example of the real cause for the absence of returns was the bludgeoning to death of two 80-year-olds and their son in the town of Obilic on 4 June. They were natives of Obilic who had placed their trust in the international administrators of the province to ensure their safety.

My Government acknowledges the many expressions of condemnation and outrage that this atrocity has generated. We especially appreciate the Security Council's quick reaction to this gruesome crime. We also take note of the fact that, in stark contrast with previous murders of minority members, a special police squad to investigate the killing has been established and a cash reward is being offered for information leading to the perpetrators.

It has been stated within the Council and outside it that acts such as the Stolic murder are directed against returns, against ethnic reconciliation and against the creation of a multi-ethnic society. That is true. However, given the fact that all forms of violence against minorities, including terrorist attacks, have thus far garnered only verbal condemnation, it is unclear what arguments could be offered to 18 Serb families in Obilic to convince them to reconsider their decision to leave the town forever. Whose ultimate victory will that be?

Security, of course, cannot be achieved by words. The fact is that the perpetrators of that atrocity have not been identified, much less brought to justice. It is also a fact that the investigation of the 17 May murder in Vitina of mathematics professor Zoran Markovic has not made any progress that we are aware of. The same is true of the case of 90-year-old Slavko Stamenkovic, who was brutally beaten in his home in Vitina on 21 May, and of the 6 May stoning of a bus driving Serb children near Mitrovica.

If the perpetrators are not speedily brought to justice now — as they have not been in previous cases of inter-ethnic murder since 1999 — the Obilic killing will serve to strengthen the culture of impunity surrounding the violence against minorities. It will also provide further evidence that minorities, and Serbs in particular, do not enjoy the basic human right to life, let alone any other right. We therefore call on the Security Council to see to it that UNMIK, in accordance with its responsibilities defined four years ago, ensures that violence is not yet again confirmed as a legitimate political means in Kosovo and Metohija. Without that outcome, the latest atrocity will be a further setback in creating sufficient confidence to initiate the dialogue on practical issues, whose establishment my Government has consistently supported and called for. Pristina has thus far rejected every initiative in that regard.

As we are all aware, UNMIK has its own list of achievements in connection with implementing resolution 1244 (1999). The wave of Kosovo Albanian refugees in 1999 was reversed very quickly. Elections were held and the Provisional Institutions of Self-Government were established, which led to the increasing transfer of responsibilities to local authorities. However, those Institutions have proven to be more efficient at insisting on their right to decide on foreign policy and defence matters and on ignoring minority rights — as witnessed by the law on higher education — on pressuring for independence, and — as in the most recent Assembly resolution, which called for regulating "the status of the fighters for the freedom and independence of Kosovo" — at creating ethnic division.

As part of that trend, the Kosovo Protection Corps (KPC), which has been officially designated as a civilian emergency organization, has retained and enhanced its military capacities. It is engaged in tireless efforts to preserve itself as the future army of an independent Kosovo. The activities of Albanian National Army (ANA) terrorists within the KPC in connection with the 12 April railway attack in northern Kosovo and Metohija have been confirmed beyond a shadow of a doubt. UNMIK and KFOR demands for data regarding the presence of the ANA within the KPC were met by a very characteristic response from the commander of the Corps, who said that, under his limited powers, he could offer no more information. We fully expect prompt and visible results from the international special investigative civil board formed on 2 June to investigate current and future members of the KPC who may be involved in proscribed organizations or activities.

In such overall conditions, UNMIK developed a strategy based on the principle of "standards before status", defining eight basic criteria for assessing progress in achieving the standards. In each of those

eight areas — for example, in the area of the rule of law — substantive achievements are almost negligible, yet UNMIK is speedily and systematically continuing to transfer responsibilities to the Provisional Institutions of Self-Government.

We consider it absolutely necessary to make the benchmarks operational, in line with repeated requests made by members of the Security Council. If the aim is truly to establish institutions functioning according to basic principles of democracy, the transfer process should be firmly conditioned on the capacities of the Institutions to responsibly exercise the authority entrusted to them for the benefit of all communities in the province.

With regard to the benchmarks, UNMIK itself is actually not contributing to their implementation in some cases. A stated UNMIK benchmark dealing with property rights requires that all property — including land, enterprises and other publicly owned assets — will have a clear and rightful owner. UNMIK regulation 2003/13 is clearly not a step towards fulfilling that benchmark. Rather, it creates additional confusion. By promulgating regulation 2003/13, on land use, UNMIK has in fact taken steps that exceed the authority conferred upon it by the Security Council. The regulation creates consequences of a structural and permanent character. A 99-year land lease is brushed away as a temporary measure that does not merit consultation with the owners of the land. That disregards the basic fact that the measure will by far exceed the term of the United Nations Administration itself. We are speaking here of a permanent transfer of publicly owned property and, to a large extent, the property of the Republic of Serbia. The regulation will also jeopardize the return of property nationalized after the Second World War to their rightful owners.

On 16 May, we requested an explanation of the legal basis for that regulation from the Legal Counsel of the United Nations. To date we have received no response. My Government is looking forward to the Counsel's response in order to decide on a further course of action with regard to this issue. In any event, our firm view is that the term of the lease for the land in question cannot exceed UNMIK's term of existence.

As stated by Foreign Minister Svilanović in a letter dated 20 May to the President of the Security Council, it is the position of my Government that the need for privatization in Kosovo and Metohija is undisputable. The method of establishing a privatization model without the participation of the Republic of Serbia as the largest creditor is, however, highly disputable. According to the Kosovo Trust Agency model, the burden of privatization — primarily a sovereign debt of close to $1.5 billion — first falls squarely upon the budget of Serbia and Serbian creditor companies or owners of soon-to-be privatized businesses in Kosovo and Metohija, then on Serbian guarantor banks and, finally, on workers who are currently displaced. Among other obvious consequences, that model is certain to adversely affect the return of internally displaced persons. However, nothing but the loss of life is irreversible. We expect that those legitimate concerns will be addressed prior to the full implementation of the process of privatization. We stand ready to further discuss these issues with UNMIK.

My country has fully complied with resolution 1244 (1999). In the last two and a half years we have consistently demonstrated the political will to constructively participate in its implementation, as evidenced by our support for the electoral processes in 2001 and 2002 and our active participation in formulating the November 2001 common document on cooperation with UNMIK. However, to a great extent, efforts to cooperate with UNMIK have been a one-way process. We expect channels of cooperation to be re-established in the near future. A constructive policy of transparency by UNMIK — including in the privatization process — will be a necessary new element in future communications between our Government and UNMIK.

There seems to be common agreement that the work in Kosovo and Metohija is far from done. Stability and prosperity are our shared goals. However, as the Secretary-General stated on the occasion of the adoption of resolution 1244 (1999), what counts is not only the commitment to peace, but also the will to implement it. I can assure the Security Council of my country's willingness to participate constructively in this process.

The President (*spoke in Russian*): I thank the representative of Serbia and Montenegro for the kind words he addressed to me.

The next speaker on my list is the representative of Greece. I invite him to take a seat at the Council table and to make his statement.

Mr. Vassilakis (Greece): At the outset, since this is the first time that we are speaking under your presidency, Sir, allow me to congratulate you on your assumption of your duties. I should also like to congratulate the previous President, the representative of Pakistan, on his excellent work.

I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia, the associated countries Bulgaria, Romania and Turkey, and the European Free Trade Association countries belonging to the European Economic Area Iceland, Liechtenstein and Norway declare that they align themselves with this statement.

We welcome Assistant Secretary-General Annabi's briefing on the situation in Kosovo. We should like to stress that the continuous and unabated interest and involvement of the international community — especially through the Security Council — is of paramount importance if that area is to finally achieve peace, stability and prosperity.

On this fourth anniversary of Security Council resolution 1244 (1999), let me reiterate that full implementation of that resolution remains the cornerstone of the European Union's policy on Kosovo. Building a democratic, multi-ethnic and multicultural Kosovo with full respect for the rule of law and for human and minority rights is our stated course of action. The "standards before status" policy provides the agreed framework for achieving those objectives.

Terrorism and violence — be they ethnically, politically or criminally motivated — will not be tolerated. We unequivocally condemn incidents such as the recent killing of two 80-year-old Kosovar Serbs and their son in the village of Obilic. We welcome the condemnation by all parties in Kosovo of that act of violence, as well as Prime Minister Rexhepi's visit to Obilic. We expect all parties to do their utmost to ensure that the perpetrators are soon brought to justice.

A Kosovo where members of minority communities are oppressed will face a bleak future of self-imposed isolation. Our efforts should aim to establish appropriate security, economic and legislative conditions that will allow minorities to be — as they should be — an integral part of Kosovo's political, economic, social and cultural life, while making the return of refugees feasible and sustainable.

Organized crime is the single most urgent challenge that we must address in the region. Coupled with extremism, and with deep roots in the area's political and social life, organized crime threatens the very foundation of the principles and values that we are trying to instil in the new institutions formed there, thus rendering our efforts fruitless.

Political stability in Kosovo requires the building of stable institutions through the establishment and strengthening of local democracy. We fully support the process of transfer of competencies to the Provisional Institutions of Self-Government, as set out in chapter 5 of the Constitutional Framework, and taking into account the capacity of those institutions to handle them. Building effective, transparent and accountable institutions for the benefit of all communities, while adhering to the obligations arising from Security Council resolution 1244 (1999) and the Constitutional Framework, and not prejudging the final status should be our main objectives.

The European Union is strongly committed to securing peace, security and the right conditions for political and economic development in the region by enhancing its European perspective through the Stabilization and Association Process. The Thessaloniki Summit, to be held on 21 June, will focus on precisely that European perspective, which is aimed at promoting both regional ownership and regional cooperation, including dialogue between Belgrade and Pristina.

The President (*spoke in Russian*): I thank the representative of Greece for the kind words he addressed to me.

I now give the floor to Mr. Annabi to respond to comments and questions raised.

Mr. Annabi: There were two specific questions from our colleague from the United Kingdom. The first question related to the issue of parallel structures. As I indicated in my briefing, parallel structures offering administrative and other services to Kosovo Serb residents continue to operate in certain parts of Kosovo with the support of Belgrade. Efforts to strengthen the institutional links between Belgrade and those parallel structures in Kosovo have been most evident in the areas of health and education.

Although Belgrade has agreed that the parallel structures should be disbanded, there continue to be

areas — mostly in northern Kosovo — which, for example, still have parallel courts, even if those courts play only a marginal role. Nevertheless, the United Nations Interim Administration Mission in Kosovo (UNMIK) has been able to establish a minor offences court and a municipal court in the municipality of Zubin Potok, in the Mitrovica area.

In Mitrovica itself, UNMIK continues to provide the Kosovo Serbs in the north of the city with a number of administrative services. As I indicated in my briefing, Mr. Steiner has also appointed a multi-ethnic advisory board that is intended to act as a forum for cooperation among the communities. The board's first meeting was held on 13 May. The Kosovo Serbs participated, but they then expressed reservations about the board's composition, wrongly claiming that there had been some kind of understanding that it would include only Kosovo Serb members.

UNMIK is in the process of developing a comprehensive action plan and policy to address this problem of parallel structures, and Belgrade's cooperation will, of course, be essential in that process.

The second question related to UNMIK's downsizing and to how, in that context, the Mission intends to proceed with the shift from executive to advisory functions as it transfers chapter 5 responsibilities to the Provisional Institutions.

UNMIK's downsizing plans, of course, have to be seen in the context of its budget, which has been established at the level of $315 million for the fiscal year beginning on 1 July this year. That planning is being developed in a manner which will ensure that, as powers are transferred, UNMIK retains an overall capacity in all areas to effectively discharge or exercise its authority under resolution 1244 (1999) and to discharge its powers and responsibilities, including those in the Constitutional Framework.

As UNMIK gradually transfers the non-reserved competencies listed in chapter 5 of the Constitutional Framework to the Provisional Institutions, it will retain sufficient staff to have the capacity to monitor and advise the Provisional Institutions and municipalities, as well as to intervene whenever that becomes necessary, to ensure that those bodies exercise their responsibilities in compliance with resolution 1244 (1999) and the Constitutional Framework.

UNMIK also takes into account in its planning the fact that at a later stage there will be increased involvement on the part of the Provisional Institutions and the people of Kosovo in the administrative and operational functions in specific reserved areas identified in chapter 8 of the Constitutional Framework. This process will naturally involve a reallocation and reduction, in some cases, of UNMIK's resources from the transferred areas to the reserved areas, in line with UNMIK's budget.

The President (*spoke in Russian*): I thank Mr. Annabi for his clarifications.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.45 p.m.